IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

TRACEY WHITE, et al.,   )
)
        Plaintiffs   )
)
v.   )   Cause No. 14-cv-01490 - HEA
)
THOMAS JACKSON, et al.,   )
)
        Defendants.   )

MOTION FOR SUMMARY JUDGMENT FILED BY DEFENDANTS JON BELMAR, SGT. DAVID RYAN, OFFICER TERENCE MCCOY, OFFICER MICHAEL MCCANN, DET. DERIK JACKSON, DET. JOE PATTERSON, DET. AARON VINSON, DET. WILLIAM BATES, DET. NICHOLAS PAYNE, OFFICER DANIEL HILL, OFFICER ANTONIO VALENTINE, AND ST. LOUIS COUNTY, MISSOURI

Come now defendants Jon Belmar, Sgt. David Ryan, Officer Terence McCoy, Officer Michael McCann, Det. Derik Jackson, Det. Joe Patterson, Det. Aaron Vinson, Det. William Bates, Det. Nicholas Payne, Officer Daniel Hill, Officer Antonio Valentine, and St. Louis County, Missouri, pursuant to Fed. R. C. P. 56 and move for summary judgment on all pending claims and as grounds therefore state there is no genuine dispute with regard to material facts, and these defendants are entitled to judgment as a matter of law. In support defendants further state as follows:

1. With regard to the claims filed by Tracey White and William Davis, the defendants Sgt. David Ryan, Officer Terence McCoy and Officer Michael McCann did not violate the constitution or state law. In addition they are shielded from liability under the doctrines of Qualified Immunity and Official Immunity.

2. With regard to the claims filed by Dwayne Matthews, the defendants Detectives Derik Jackson, Joe Patterson, William Bates, Jr., Aaron Vinson and Nicholas Payne did not

1

violate the constitution or state law. In addition they are shielded from liability under the doctrines of Qualified Immunity and Official Immunity.

3. With regard to the claims filed by Kerry White, Sandy Bowers, and Kai Bowers, defendants Officers Michael McCann, Terence McCoy, Antonio Valentine and Daniel Hill did not violate the constitution or state law. In addition they are shielded from liability under the doctrines of Qualified Immunity and Official Immunity.

4. With regard to the claims filed by Nathan Burns, defendants Officers Terence McCoy, Michael McCann and Daniel Hill did not violate the constitution or state law. In addition they are shielded from liability under the doctrines of Qualified Immunity and Official Immunity.

5. With regard to the claims of Tracey White, William Davis, Dwayne Matthews, Kerry White, Sandy Bowers, Kai Bowers, Damon Coleman, Theophilus Green, Antwan Harris, and Nathan Burns, defendants Chief of Police Jon Belmar and St. Louis County, Missouri did not have personal involvement, there is no underlying constitutional violation, the doctrine of respondeat superior does not apply, the policies, customs and practices of Chief Belmar or St. Louis County did not cause a constitutional violation. Chief Belmar is shielded from liability by the Doctrine of Qualified Immunity, and for state claims, St. Louis County, Missouri has sovereign immunity.

6. If there are any claims for punitive damages pending, the exhaustive statement of facts from the depositions of the parties and the affidavits and other exhibits demonstrate that there was no evil motive or intent or callous disregard for constitutional rights, and so summary judgment is appropriate as a matter of law.

Defendants hereby file a Statement of Undisputed Facts, and also file a Memorandum of Law in Support of the Motion for Summary Judgment, both of which are incorporated by reference in their entirety.

In Addition Defendants file and attach and incorporate by reference County Exhibits A through DD.

Respectfully Submitted

PETER J. KRANE
COUNTY COUNSELOR

___/s/ Michael E. Hughes_____
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CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing was delivered to all attorneys of record through the Court's electronic filing system this 13th day of May, 2016.

___/s/ Michael E. Hughes_____